

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

In re:

**Jach Charles Whitman, Jr. and Vivian Powell
Whitman**

Case No. 10-81359

S.S. Nos.: xxx-xx-7554 and xxx-xx-7280

Mailing Address: 280 Hill Road, Rougemont, NC 27572-

Debtors.

NOTICE TO CREDITORS AND PROPOSED PLAN

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on July 30, 2010.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: August 23, 2010

LAW OFFICES OF JOHN T. ORCUTT, P.C.

/s John T. Orcutt

John T. Orcutt
N.C. State Bar No. 10212
Counsel for the Debtors
6616-203 Six Forks Rd.
Raleigh, N.C. 27615
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

CH. 13 PLAN - DEBTS SHEET (MIDDLE DISTRICT - DESARDI VERSION)					Date: 7/12/10		
					Lastname-SS#: Whitman-7554		
RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN							
Retain	Creditor Name	Sch D #	Description of Collateral				
SURRENDER COLLATERAL							
	Creditor Name	Description of Collateral					
ARRIARAGE CLAIMS							
Retain	Creditor Name	Sch D #	Arrearage Amount	(See †)			
				**			
				**			
				**			
				**			
				**			
				**			
	HFC Beneficial-1st DOT		\$1,175	**			
				**			
				**			
				**			
REJECTED EXEMPTORY CONTRACTS/LEASES							
	Creditor Name	Description of Collateral					
11D - DOT ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS							
Retain	Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	HFC Beneficial-1st DOT		\$1,163	N/A	n/a	\$1,163.00	house and land, no escrow
				N/A	n/a		
				N/A	n/a		
				N/A	n/a		
STD - SECURED DEBTS @ FMV							
Retain	Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	Citifinancial		\$27,135	5.00	\$271	\$544.58	2006 Dodge
	Carmax		\$5,018	5.00	\$50	\$100.71	2003 Chevrolet
				5.00			
				5.00			
STD - SECURED DEBTS @ 100%*							
Retain	Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	Carmax - 910 - co-signer		\$6,800	15.00	\$50	\$169.92	2002 Pontiac
				5.00			
				5.00			
				5.00			
ATTORNEY FEE (Unpaid part)							
Law Offices of John T. Orcutt, P.C.			Amount				
			\$2,800				
SECURED TAXES							
IRS Tax Liens			Secured Amt				
Real Property Taxes on Retained Realty							
UNSECURED PRIORITY DEBTS							
IRS Taxes			Amount				
State Taxes							
Personal Property Taxes							
Alimony or Child Support Arrearage							
CO-SIGN PROTECT (Pay 100%*)			Int. %	Payoff Amt			
All Co-Sign Protect Debts (See*)							
GENERAL NON-PRIORITY UNSECURED							
DMI= \$138			\$8,280				
PROPOSED CHAPTER 13 PLAN PAYMENT							
\$ 2,274		per month for		60		months, then	
\$ N/A		per month for		N/A		months.	
Adequate Protection Payment Period:				1.68 months.			
Sch D # = The number of the secured debt as listed on Schedule D.							
Adequate Protection = Monthly 'Adequate Protection' payment amt.							
† = May include up to 2 post-petition payments.							
* Co-sign protect on all debts so designated on the filed schedules.							
** = Greater of DMI x ACP or EAE (Page 4 of 4)							
Ch13Plan_MD_(DeSardi Version 1/12/10) © LOJTO							
Other Miscellaneous Provisions							
Plan to allow for 3 "waivers". Interest on EAE at fed. judgment rate							

CERTIFICATE OF SERVICE

I, Charlene Ennemoser, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

All the creditors set forth on the mailing matrix filing in this case.

/s Charlene Ennemoser

Charlene Ennemoser

North Carolina Department of Revenue
c/o NC Department of Justice
Post Office Box 629
Raleigh, NC 27602-0629

Internal Revenue Service (ED)**
Post Office Box 21126
Philadelphia, PA 19114-0326

Cashcall
1920 Main Street
Suite 400
Irvine, CA 92614

Employment Security Commission
Attn: Benefit Payment Control
Post Office Box 26504
Raleigh, NC 27611-6504

US Attorney's Office (ED)**
310 New Bern Avenue
Suite 800, Federal Building
Raleigh, NC 27601-1461

CitiFinancial
P O Box 6931
The Lakes, NV 88901-6931

Credit Bureau
Post Office Box 26140
Greensboro, NC 27402

Barbara Jackson

CitiFinancial
112 Hillsboro Street
Oxford, NC 27565

NC Child Support
Centralized Collections
Post Office Box 900006
Raleigh, NC 27675-9006

Beneficial
P O Box 5233
Carol Stream, IL 60197-5233

CitiFinancial Auto
P.O. Box 183036
Columbus, OH 43218-3036

Equifax Information Systems LLC
P.O. Box 740241
Atlanta, GA 30374-0241

Capital One Bank
Post Office Box 85015
Richmond, VA 23285-5015

Credit Bureau of Greensboro**
Post Office Box 26140
Greensboro, NC 27402-0040

Experian
P.O. Box 2002
Allen, TX 75013-2002

Capital One Bank**
Post Office Box 30285
Salt Lake City, UT 84130-0285

Dell Financial Services
P.O. Box 6403
Carol Stream, IL 60197-6403

Innovis Data Solutions
Attn: Consumer Assistance
P.O. Box 1534
Columbus, OH 43216-1534

Carmax Auto Finance
P.O. Box 3174
Milwaukee, WI 53201-3174

Discover Card***
Post Office Box 30943
Salt Lake City, UT 84130

Trans Union Corporation
P.O. Box 2000
Crum Lynne, PA 19022-2000

Carmax Auto Finance
Post Office Box 440609
Kennesaw, GA 30160

Duke University Hospital
Post Office Box 70841
Charlotte, NC 28272-0841

ChexSystems
Attn: Consumer Relations
7805 Hudson Road, Ste. 100
Woodbury, MN 55125

Cash Jar
C/O Henderson Weinstein Wyatt &
Associates Inc
5140 Main Street, Ste 303-129
Buffalo, NY 14221

Durham Internal Medicine
4205 Ben Franklin Blvd
Durham, NC 27704

Durham Regional Hospital
and Emergency Medical Service
402 Stadium Drive
Durham, NC 27704

Legal Helpers Debt Resolution, LLC
18400 Van Karmen Ste 1100
Irvine, CA 92612

Schewels Furniture Co.**
P.O. Box 920
Roxboro, NC 27573

Durham Regional Hospital
Post Office Box 70841
Charlotte, NC 28272-0841

Lowe's/GEMB
Attn: Bankruptcy Department
P.O. Box 103104
Roswell, GA 30076

Sears National Bankruptcy Center
Post Office Box 20363
Kansas City, MO 64195-0363

E-Recovery Solutions
1650 Cambria Street, NE
Christiansburg, VA 24073

Macy's **
Bankruptcy Processing
P.O. Box 8053
Mason, OH 45040

Target National Bank**
c/o Target Credit Services
P.O. Box 1581
Minneapolis, MN 55440-1581

Employment Security Commission
Unemployment Insurance Division
Post Office Box 25903
Raleigh, NC 27611-5903

NC Department of Revenue
Post Office Box 25000
Raleigh, NC 27640-0002

The CBE Group, Inc.
Post Office Box 2547
Waterloo, IA 50704-2547

HFC***
Post Office Box 3425
Buffalo, NY 14240-9733

Person County Tax Collector
105 South Main Street
P.O. Box 1701
Roxboro, NC 27573

Triangle Heart Associates PA
2609 North Duke Street
Building 700
Durham, NC 27704

Home Depot **
P.O. Box 653000
Dallas, TX 75265-3000

RCS
Post Office Box 7229
Westchester, IL 60154

US Attorney's Office (MD)**
Middle District
Post Office Box 1858
Greensboro, NC 27502-1858

Internal Revenue Service (MD)**
Post Office Box 21126
Philadelphia, PA 19114-0326

Revenue Cycle Solutions
Post Office Box 7229
Westchester, IL 60154-7229

Walmart
C/O GE Money Bank
Attn: Bankruptcy Dept.
P.O. Box 103104
Roswell, GA 30076

JC Penney
Post Office Box 981131
El Paso, TX 79998

Revenue Cycle Solutions
Post Office Box 1022
Wixom, MI 48393-1022

Wells Fargo Card Services
Post Office Box 522
Des Moines, IA 50302-9907

John T. Orcutt
6616-203 Six Forks Road
Raleigh, NC 27615

Revenue Cycle Solutions, Inc.
CSRECS01
PO Box 1022
Wixom, MI 48393-1022

Zwicker & Associates
Post Office Box 5820
Troy, MI 48007-5820